

# Memorandum

**TO:** Lesley Xavier  
Planning and Building

**FROM:** Vivian Tom  
Public Works

**SUBJECT: INITIAL RESPONSE TO  
DEVELOPMENT APPLICATION**

**DATE:** 05/18/12

Approved

Date

5/18/12

**PLANNING NO.:** PD12-013 and PT02-014  
**DESCRIPTION:** Planned Development and Tentative Map to construct 263 attached residential units and 12,000 square foot of retail space and combine three parcels into one lot on the A(PD) Planned Development Zoning District on 2.6 gross acre site.  
**LOCATION:** southwest corner of West San Carlos Street and Sunol Street  
**P.W. NUMBER:** 3-18215

Public Works received the subject project on 04/12/12 and submits the following comments and requirements. **Upon completion of the Action/Revisions Required items by the applicant, Public Works will forward a Final Memo to the Department of Planning prior to the preparation of the Staff Report for Public Hearing.**

## **Actions / Revisions Required:**

1. **Sanitary:**
  - a) The preliminary sewer monitoring analysis provided during zoning stage indicated that the existing sewer system does not have adequate capacity to serve the project. Submit a comprehensive sewer analysis to determine the required mitigation in order to support this development.
  - b) Since phasing is proposed for the project site, the sewer analysis should address the capacity and the required mitigation associated with each phase.
  
2. **Stormwater Runoff Pollution Control Measures:** Revise the plan to address the following:
  - a) In order to be considered as a Special Project, complete the Special Project Worksheet and indicate reasons why LID measures cannot be 100% incorporated as part of development.
  - b) Treatment is required for the entire project boundary. Provide TCM's for the whole private street.
  - c) For area B3, combine the two bioretention cells into one larger cell.
  - d) For area B4, provide another curb opening before the catch basin to ensure proper treatment.

3. **Street Improvements:** Revise plans to address the following:
  - a) West San Carlos Street: Remove all parking tips / lines.
  - b) Sunol Street: Provide a typical cross section (area without parking bays). The section should include 15' centerline to face-of-curb with 15' attached walk and appropriate street dedication.
  - c) West Way: Minimum 50' curb to curb width is required for angled parking. In addition, the parking space angle should be at 45 degrees.
  - d) Revise driveway to Earl Street (private) to City standard curb cut, not radii return.
  - e) Proposed special paving and other non-standard features within the public right-of-way may be considered with the formation of a Maintenance Assessment District or Community Benefit Improvement District. Submit a list of potential non-standard features and a proposed maintenance schedule for consideration.

### **Project Conditions:**

**Public Works Clearance for Building Permit(s) or Map Approval:** Prior to the approval of the Tract or Parcel Map (if applicable) by the Director of Public Works, or the issuance of Building permits, whichever occurs first, the applicant will be required to have satisfied all of the following Public Works conditions. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits.

4. **Construction Agreement:** The public improvements conditioned as part of this permit require the execution of a Construction Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
5. **Transportation:**
  - a) For the impact at the protected intersection of Meridian Avenue and West San Carlos Street, provide a \$202,000 contribution for future neighborhood offsetting improvements.
  - b) Per zoning condition, contribute \$1,000,000 for the construction of the future West San Carlos LRT station.
  - c) In accordance with CMP requirements, the project is required to implement "Immediate Actions" portion of the CMP TIA Guidelines. Some recommended measures may include:
    - i) Bike storage at residential developments
    - ii) Improve roadside bicycle facilities
    - iii) Improve pedestrian facilities
6. **Grading/Geology:**
  - a) A grading permit is required prior to the issuance of a Public Works Clearance.
  - b) If the project proposes to haul more than 10,000 cubic yards of cut/fill to or from the project site, a haul route permit is required. Prior to issuance of a grading permit, contact the Department of Transportation at (408) 535-3850 for more information concerning the requirements for obtaining this permit.

- c) Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.
  - d) The Project site is within the State of California Seismic Hazard Zone. A geotechnical investigation report addressing the potential hazard of liquefaction must be submitted to, reviewed and approved by the City Geologist prior to issuance of a grading permit or Public Works Clearance. The investigation should be consistent with the guidelines published by the State of California (CGS Special Publication 117A) and the Southern California Earthquake Center (SCEC, 1999). A recommended depth of 50 feet should be explored and evaluated in the investigation.
  - e) All on-site storm drainage conveyance facilities and earth retaining structures shall be reviewed and approved under Public Works grading and drainage permit prior to the issuance of Public Works Clearance. The drainage plan should include all underground pipes, building drains, area drains and inlets. The project shall provide storm drainage calculations that adhere to the 2010 California Plumbing Code or submit a stamped and signed alternate engineered design for Public Works discretionary approval.
7. **Stormwater Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) that include site design measures, source controls, and stormwater treatment controls to minimize stormwater pollutant discharges. Post-construction treatment control measures, shown on the project's Stormwater Control Plan, shall meet the numeric sizing design criteria specified in City Policy 6-29.
8. **Stormwater Peak Flow Control Measures:** The project is located in a non-Hydromodification Management area and is not required to comply with the City's Post-Construction Hydromodification Management Policy (Council Policy 8-14).
9. **Flood: Zone D**  
The project site is not within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain. Flood zone D is an unstudied area where flood hazards are undetermined, but flooding is possible. There are no City floodplain requirements for zone D.
10. **Sewage Fees:** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.
11. **Parks:** This residential project is subject to either the requirements of the City's Park Impact Ordinance (Chapter 14.25 of Title 14 of the San Jose Municipal Code) or the Parkland Dedication Ordinance (Chapter 19.38 of Title 19 of the San Jose Municipal

Code) for the dedication of land and/or payment of fees in-lieu of dedication of land for public park and/or recreational purposes under the formula contained within in the Subject Chapter and the Associated Fees and Credit Resolutions.

12. **Undergrounding:** The In Lieu Undergrounding Fee shall be paid to the City for all frontages adjacent to Sunol Street prior to issuance of a Public Works clearance. One hundred percent (100%) of the base fee in place at the time of payment will be due. Currently, the 2012 base fee is \$412 per linear foot of frontage and is subject to change every January 31<sup>st</sup> based on the Engineering News Record's 20 City Average Cost Index. The project will be required to pay the current rate in effect at the time the Public Works Clearance is issued. (Based on 2012 rate, the fee is approximately \$108768.00.)
13. **Street Improvements:**
  - a) West San Carlos Street frontage – dedicate and improve:
    - i) Construct curb, gutter, and 12' attached sidewalk with tree wells along San Carlos Street frontage. Dedication of 4' street easement will be required. For the portion of sidewalk directly under the proposed private overhang near Sunol Street, provide sidewalk easement in lieu of street dedication.
  - b) Sunol Street frontage – dedicate and improve:
    - i) Construct 30' half street section with 15' centerline to face-of-curb along Sunol Street frontage (section without parking bays) with 15' attached sidewalk and tree wells behind the curb. Dedication of 5' street or sidewalk easement will be required.
    - ii) In the future, Sunol Street may be modified by the City or others to accommodate a left-turn pocket. The existing curb on the west side would need to be re-aligned with narrowed sidewalk and parking bays eliminated.
  - c) Dedicate and improve new Public Street (West Way) to City standards.
  - d) Upgrade or construct City standard handicap ramps (4) at opposite returns across Sunol Street and West Way.
  - e) Repair, overlay, or reconstruction of asphalt pavement will be required. The existing pavement will be evaluated with the street improvement plans and any necessary pavement restoration will be included as part of the final street improvement plans.
14. **SNI:** This project is located within the Burbank/Del Monte SNI area. Public improvements shall conform to the approved EIR and neighborhood improvement plan.
15. **Electrical:**
  - a) Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
  - b) Locate and protect existing electrical conduit in driveway and/or sidewalk construction.

16. **Street Trees:**

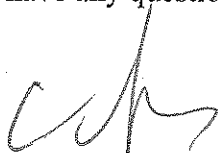
- a) The locations of the street trees will be determined at the street improvement stage. Street trees shown on this permit are conceptual only.
- b) Contact the City Arborist at (408) 277-2756 for the designated street tree.
- c) Install street trees within public right-of-way along entire project street frontage per City standards; refer to the current "Guidelines for Planning, Design, and Construction of City Streetscape Projects". Street trees shall be installed in cut-outs at the back of curb. Obtain a DOT street tree planting permit for any proposed street tree plantings.

17. **Private Streets:**

- a) Per Common Interest Development (CID) Ordinance, all common infrastructure improvements shall be designed and constructed in accordance with the current CID standards.
- b) Provide public pedestrian and bike access easements over the proposed private Earle Avenue extension.

16. **Referrals:** This project should be referred to the Santa Clara County Roads and Airports Department and the Santa Clara Valley Transportation Authority (VTA).

Please contact me at (408) 535-6819 if you have any questions.



Vivian Tom  
Project Engineer  
Development Services Division